



Order Filed on May 19, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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Counsel to the Liquidating Trustee

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*¹

Debtors.

Chapter 11


Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER CONFIRMING THE LIQUIDATING TRUSTEE'S AUTHORITY
PURSUANT TO THE PLAN AND LIQUIDATING TRUST AGREEMENT**

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.

DATED: May 19, 2023



Honorable John K. Sherwood
United States Bankruptcy Court

¹ The Debtors in these Chapter 11 Cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Confirming the Liquidating Trustee's Authority Pursuant to the Plan and Liquidating Trust Agreement

Upon the motion (the "Motion")² of the Liquidating Trustee appointed in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to section 105(a) of the Bankruptcy Code, Article XIII of the Plan, and paragraph 31 of the Confirmation Order, confirming the Liquidating Trustee's authority pursuant to the Plan and Liquidating Trust Agreement to prosecute, abandon, and settle Causes of Action; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Motion is in the best interests of the Debtors, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. Notwithstanding any indication otherwise in the Plan (including, without limitation, in Article VII.A.6. thereof), and as provided in Article IX.A.4. of the Plan, the Liquidating Trustee has authority to pursue, abandon, settle or release any or all such Causes of Action, as the Liquidation Trustee deems appropriate, without the need to obtain approval or any other or further relief from the Bankruptcy Court, except as set forth in the Liquidating Trust Agreement.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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Debtor: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Confirming the Liquidating Trustee's Authority Pursuant to the Plan and Liquidating Trust Agreement

3. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

4. The Liquidating Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

5. Notwithstanding the applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

6. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

In re:
New England Motor Freight, Inc.
Debtor

Case No. 19-12809-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: May 19, 2023

User: admin
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Total Noticed: 8

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 21, 2023:

Recip ID	Recipient Name and Address
db	#+ New England Motor Freight, Inc., 1-71 North Ave E, Elizabeth, NJ 07201-2958
aty	+ Deloitte Consulting LLP, 111 S Wacker Dr, Chicago, IL 60606-4302
aty	Gibbons, P.C., One Gateway Center, Newark, NJ 07102-5310
aty	Howard A. Cohen, Gibbons P.C, 300 Delaware Avenue, Suite 1015, Wilmington, DE 19801-1671
aty	Jeffrey L. Nagel, Gibbons P.C., One Pennsylvania Plaza, 37th Floor, New York, NY 10119-3701
aty	+ Todd M. Brooks, Whiteford, Taylor & Preston L.L.P., 7 St. Paul Street, Suite 1500, Baltimore, MD 21202-1636
aty	+ WASSERMAN, JURISTA & STOLZ, P.C., 110 Allen Road, Suite 304, Basking Ridge,, NJ 07920-4500
aty	+ Whiteford Taylor & Preston, Seven Saint paul St. Ste 1800, Baltimore, MD 21202-1639

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty	##+	Brent C. Strickland, Whiteford, Taylor & Preston L.L.P, 7501 Wisconsin Avenue, Suite 700W, Bethesda, MD 20814-6521

TOTAL: 0 Undeliverable, 0 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 21, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 19, 2023 at the address(es) listed below:

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Name	Email Address
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John Phillip Schneider

on behalf of Other Prof. Liquidating Trustee JPSchneider@mdmc-law.com

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